Docket No.: 50090-270

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application of

Katsunobu HORI, et al.

Serial No.: 09/756,846

Filed: January 10, 2001

For: SEMICONDUCTOR DEVICE HAVING A LAYERED WIRING STRUCTURE WITH HARD MASK COVERING (AS AMENDED)

Group Art Unit: 2811

Examiner: H. Vu

## **NOTICE OF APPEAL** FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated January 14, 2003 of the

Primary Examiner finally rejecting claims 1-5 and 17.

Appeal Fee: \$ \$320.00

Not required (fee paid in prior appeal in this application).

XI. Charge to Deposit Account No. 500417.

Check Enclosed.

07/15/2003 HDEMESS1 00000099 500417

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320.00 DA

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Scott D. Paul

Registration No. 42,984

600 13<sup>th</sup> Street, N.W. Washington, DC 20005-3096 (202) 756-8000 SDP:mcm Facsimile: (202) 756-8087

Date: July 14, 2003

**PATENT**